



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Petition for Probate of Will and for Letters of Administration with Will Annexed;  
 Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 7/25/2003</b>		<p><b>SARAH WELD</b> is petitioner and requests appointment as Administrator With Will Annexed and without bond.</p> <p><b>GLENN M. KOTTCAMP</b> was appointed Executor on 3/9/2004. Mr. Kottcamp died on 12/22/13 leaving a vacancy in the office of Executor.</p> <p>All heirs waive bond and nominate petitioner.</p> <p>Full IAEA - ??</p> <p>Will dated: 10/15/2001 was previously admitted to probate on 3/9/2004.</p> <p>Residence: Fresno          Publication: <b>NEED</b></p> <p><b>Estimated value of the estate:</b>          Personal property      -      \$ 5,000.00  <u>Real property</u>              -      <u>\$100,000.00</u>  <b>Total</b>                              -      <b>\$105,000.00</b></p> <p><b>Probate Referee: Steven Diebert</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 4/21/14. As of 5/2/14 the following issue remains:</b></p> <p>1. Need Affidavit of Publication. Probate Code §8522.</p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Wednesday, September 10, 2014</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Wednesday, May 13, 2015</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>	
<b>Cont. from 042114</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W/
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
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<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Statutory Compensation, for Reimbursement of Costs Incurred and for (3) Final Distribution of Insolvent Estate

<b>DOD: 5-12-07</b>			<b>CAROLYN CRENSHAW</b> , Daughter and Administrator with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>Account period:</b> <b>5/2007 through 10/2013</b>	<p>1. This estate is five years delinquent pursuant to Probate Code §12200; however, Petitioner does not give a reason why the estate was not closed timely. Pursuant to Probate Code §12205, the Court may reduce compensation.</p> <p>2. The Court may require further breakdown of the reimbursements to family members.</p>
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>		Accounting: \$94,749.77	<p><u>Note:</u> If fees and/or reimbursements are reduced need recalculation of payment on creditor's claims and revised order.</p>
✓	<b>Inventory</b>		Beginning POH: \$92,973.44	
✓	<b>PTC</b>		Ending POH: \$37,631.25 (cash)	
✓	<b>Not.Cred.</b>		Administrator (Statutory): \$1,647.07	
✓	<b>Notice of Hrg</b>		Attorney (Statutory): \$1,647.07	
✓	<b>Aff.Mail</b>	w	Reimbursements: \$9,680.30	
	<b>Aff.Pub.</b>		(Per Exhibit B, reimbursement for funeral expenses and expenses relating to the real property as follows:	
	<b>Sp.Ntc.</b>		Johnnie Mae Mitchell: \$500.00 (funeral)	
	<b>Pers.Serv.</b>		Carolyn Crenshaw: \$5,042.23 (funeral, PG&E, AT&T)	
	<b>Conf. Screen</b>		Damon Howell: \$4,138.07 (funeral, utilities, waste hauling, maintenance and repairs)	
✓	<b>Letters</b>	6-3-08	Creditor's Claims:	
	<b>Duties/Supp</b>		County of Fresno: \$513.40	
	<b>Objections</b>		Dept. of Health Care Services: \$54,148.40	
	<b>Video Receipt</b>		After payment of the creditor's claims, statutory commissions and attorney's fees and cost reimbursements, \$24,657.11 remains to be split pro rata between the above creditors as follows:	
	<b>CI Report</b>		County of Fresno: 1% or \$246.57	
✓	<b>9202</b>		DHS: 99% or \$24,410.54	
✓	<b>Order</b>		No money remains for distribution to any heirs.	
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
N/A	<b>FTB Notice</b>			

Helen DOD: 01/15/07

Stuart DOD: 06/16/13

Cont. from 031214,  
040914

Aff. Sub. Wit.

✓ Verified

Inventory

PTC

Not. Cred.

✓ Notice of  
Hrg

✓ Aff. Mail w/

Aff. Pub.

Sp. Ntc.

Pers. Serv.

Conf.  
Screen

Letters

Duties/Supp

Objections

Video  
Receipt

CI Report

9202

✓ Order

Aff. Posting

Status Rpt

UCCJEA

Citation

FTB Notice

GREGORY S. SNIDER, successor trustee, is  
Petitioner.**Petitioner states:**

1. STUART R. SNIDER (the "Decedent") and HELEN R. SNIDER, husband and wife, as settlors and trustees, established the **STUART AND HELEN SNIDER LIVING TRUST** by declaration of trust dated 09/13/01 (the "Trust").
2. Helen Snider died on 01/15/07.
3. Upon Helens death, the Trust remained a single trust and remained revocable by the Decedent as the surviving settlor. Decedent became the sole trustee of the Trust upon Helen's death.
4. On 04/20/12, the Decedent amended the Trust by a First Amendment to the Trust. On 04/21/12, Decedent resigned as trustee of the Trust and Petitioner, Greg Snider, the son of Decedent, became the sole successor trustee.
5. On 05/30/12, the Decedent executed a document entitled "Last Will and Testament of Stuart Snider" and also on 04/08/13, Decedent executed a document entitled "Last Will and Testament of Stuart Snider".
6. Decedent died on 06/16/13 and upon his death, the Trust became irrevocable. Petitioner continues to serve as the sole successor trustee of the Trust.
7. The Trust and First Amendment were prepared by Decedent's attorneys. After executing the First Amendment, Decedent indicated to Petitioner that he wanted to make additional changes to the Trust, but did not want to incur additional legal expenses to do so.
8. Due to Decedent's advanced Parkinsons disease, the Decedent was unable to write or type the Second Amendment and instead, he dictated the contents to his caregiver who then typed it and Decedent signed it.

Continued on Page 2

**NEEDS/PROBLEMS/COMMENTS:****OFF CALENDAR**

**Amended Petition for  
Instructions filed 04/16/14  
and set for hearing on  
06/05/14**

**CONTINUED FROM 03/12/14**

**Minute Order from 03/12/14 states:  
The Court notes that Mr. Snider is  
being represented solely as the  
successor trustee and is not  
advocating for any position.  
Amended Petition to be filed.  
Notice to be given to all parties.  
The Court will expect any  
objections to be provided to the  
Court in accordance with the  
appropriate rules of court and  
code sections.**

**As of 04/07/14, nothing further has  
been filed in this matter.**

**Note:** Amanda Bonk, decedent's granddaughter was appointed as Guardian Ad Litem for minor beneficiaries of the Trust – Paige Fowler, Hailey Bonk & Brooklyn Bonk. It is unclear whether the Guardian Ad Litem or her attorney (Melissa Webb) will be filing any opinion regarding the Petition on behalf of the minor beneficiaries.

1. Notice of hearing to Michael Bonk, Hailey Bonk, Heather DeVoto and Brooklyn Bonk was sent in care of Roger Bonk, notice of hearing to Paige Fowler was sent in care of Amanda Bonk, and notice of hearing to Jeanette Frye was sent in care of Dennis Frye; notice mailed to a person in care of another is insufficient, pursuant to California Rules of Court 7.51(a)(2).

**Reviewed by:** JF**Reviewed on:** 05/02/14**Updates:****Recommendation:****File 5 – Snider**

9. The Second Amendment was delivered to Petitioner as trustee of the Trust.
10. A third Amendment was also dictated by the Decedent to his caregiver who typed it and Decedent signed it. The Third Amendment was also delivered to Petitioner as Trustee of the Trust.
11. The dispositive provisions of the Trust are set forth in Section 6.3 of the Trust. The First Amendment to the Trust revised these dispositive provisions in their entirety so that upon the death of Decedent, the Trust estate was to be distributed as follows:
  - a. Tangible personal property was to be distributed by memorandum or designated then the remainder was to be distributed to the Decedent's children: Gregory Snider and Sheryl Hastay (also known as Sheryl Kilgallen).
  - b. The sum of twenty five thousand dollars (\$25,000.00) was to be distributed to each of Decedent's children: Gregory Snider and Sheryl Hastay.
  - c. The sum of twelve thousand dollars (\$12,000.00) was to be distributed to each of the Decedent's grandchildren: Amanda Bonk, Michael Bonk, and Emily Hastay.
  - d. The sum of seven thousand dollars (\$7,000.00) was to be distributed to each of the Decedent's then living great-grandchildren: Paige Fowler and Hailey Bonk.
  - e. The sum of ten thousand dollars (\$10,000.00) was to be distributed to the Decedent's brother, David Snider.
  - f. The sum of five thousand dollars (\$5,000.00) was to be distributed to each of Martha Martinez Villegas and Jennifer Gutierrez, former employees of the Decedent;
  - g. The remaining trust estate was to be distributed in equal shares to the Decedent's children: Gregory Snider and Sheryl Hastay.
12. The Second Amendment revised the dispositive provisions in their entirety and specifically states as follows: "[e]verything else goes in a trust. I wish to give Greg, Sherry, Amanda, Emily, David and Jeanette \$10,000.00 each from the trust. The remaining amount in the trust is to be divided equally among Greg, Amy, Sherry, Amanda, Emily, Paige, Hilary, Michael and Heather." Petitioner alleges that the reference to Hilary is a typo and actually refers to Hailey Bonk. Greg and Sherry are the Decedent's children. Amanda, Emily and Michael are the Decedent's grandchildren. David is the Decedent's brother. Jeanette is the Decedent's girlfriend. Amy is the Decedent's daughter-in-law. Page and Hailey are the then living great grandchildren of the Decedent. Heather is the partner of Decedent's grandson Michael.
13. The Third Amendment again revised the dispositive provisions in their entirety and specifically states as follows: "[t]rust funds are to be divided equally among: Greg, Sherry, Michael, Emily, Paige, Hilary, Jeanette, David, Amy, Heather and Michael and Heather's unborn child. Amanda will get my personal property that she stored for me including the wheelchairs." Michael and Heather's child, Brooklyn, was born after the Third Amendment was signed.
14. Petitioner believes that Decedent intended that the Second and Third Amendments to be amendments to the Trust.
15. The relevant portion of Article Three, Section 3.2 of the Trust provides as follows: "[a]fter the death of the deceased settlor, the surviving settlor may at any time amend, revoke, or terminate, in whole or in part, any trust created by this amendment other than the Disclaimer Trust, which shall be irrevocable and not subject to amendment."
16. The relevant portion of Article Three, Section 3.3 of the Trust provides as follows: "[a]ny amendments, revocation, or termination of any trust created by this instrument shall be made by written instrument signed by both settlors or by the settlor making the revocation, amendment, or termination, and delivered to the trustee."

Continued on Page 3

17. Based on Probate Code §§ 15401(a)(1) and 15402, Petitioner believes that the Second and Third Amendments were validly executed amendments to the Trust under the terms of the Trust and California law and that the Trust estate should be distributed pursuant to the provisions of the Third Amendment.
18. Petitioner states that the titles of the Second Amendment and the Third Amendment, "Last Will and Testament of Stuart Snider" and "Last Will and Testament of Stuart Snider Revised," respectively, were simple scriveners mistakes. The caregiver did not have a legal background and was not aware that the documents should have been titled as trust amendments rather than wills.
19. Under Probate Code § 17200(a), the Court has the jurisdiction to determine the validity of a trust amendment. Accordingly, Petitioner requests that the Court confirm and declare that the Third Amendment is a valid amendment to the Trust and that the Trust estate should be distributed in accordance with the terms of the Third Amendment.

**Petitioner prays for an Order:**

1. Confirming and declaring that the Third Amendment is a valid amendment to the Trust; and
2. Instructing Greg Snider, as trustee of the Trust, to distribute the remaining assets of the Trust in accordance with the terms of the Third Amendment.

<b>DOD: 3-17-13</b>		<b>BROOKE ROBERTSON</b> , Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner states</b> her half-sister <b>BAYLIE ROBERTSON</b> is the currently acting successor trustee of the trust, which was created on 8-11-04 and amended on 3-2-13.	<b>Minute Order 4-23-14:</b> Discussed issues on examiner notes in open court. Counsel is informed to include in order that any fees requested are subject to court approval. Continued to 5-7-14.
<b>Cont from 042314</b>		The amendment dated 3-2-13 provides, among other things, that the decedent's real property located at Shaver Lake shall be sold and the proceeds will be distributed 50% to Petitioner Brooke Robertson and 50% in trust for Brooke's son Mattox Hayes until he turns 25. The Shaver Lake property was properly titled in the name of the trustee of the trust at the settlor's death.	<b>The following issues remain:</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	To facilitate the sale and distribution of the property, the current trustee Baylie Robertson has consented to the appointment of a Special Trustee for the purpose of managing and administering the Shaver Lake property, including coordinating the sale and distribution of the proceeds. Petitioner requested that her step-father <b>TARIQ ABBASI</b> serve as Special Trustee, and Mr. Abbasi has consented to serve. If he becomes unable or unwilling to serve, the parties have agreed that his wife <b>SHEILA ABBASI</b> (Petitioner's mother and Mattox's grandmother) will serve as successor Special Trustee.	<b>See Additional page</b>
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>	The Petition lists the obligations and duties of the Special Trustee with regard to the Shaver Lake property and states that upon appointment of a Special Trustee, Baylie will remain trustee of the remaining trust assets and shall remain subject to all other fiduciary duties incident to such position, but will have no ongoing fiduciary duties to Brooke, Mattox, or the trustee of the Mattox Trust in connection with the property, and no rights or power of supervision over the Shaver Lake property.	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	In addition, Baylie has also declined to serve as trustee of the Mattox Trust in favor of Tariq, who has also consented to serve as Trustee of the Mattox Trust. Again, if he becomes unable or unwilling to serve, the parties have agreed that Sheila will serve.	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**SEE ADDITIONAL PAGE****Reviewed by:** skc**Reviewed on:** 5-2-14**Updates:****Recommendation:****File 8 – Robertson**

**Petitioner requests an order:**

1. Appointing Tariq to serve as Trustee of the Mattox Trust;
2. Appointing Sheila to serve as Successor Trustee of the Mattox Trust;
3. Appointing Tariq to serve as Special Trustee of the Trust with respect to the Shaver Lake property in a manner consistent with the terms of the trust, which shall include, without limitation, coordinating the sale of the property and distributing the net proceeds therefrom to Brooke and the Trustee of the Mattox Trust in equal shares;
4. Appointing Sheila to serve as Successor Special Trustee of the trust with respect to the Shaver Lake property;
5. Directing the Special Trustee of the Trust to distribute the net proceeds from the sale of the Shaver Lake property to Brooke and the Trustee of the Mattox Trust, in equal shares, within 30 days of the close of escrow;
6. Confirming that the Special Trustee shall have all powers provided for under the terms of the trust as listed (*See Petition for details*);
7. Directing Baylie to transfer title of the Shaver Lake property to Tariq, as Special Trustee of the Trust, as soon as reasonably possible, but in no event later than 15 days following entry of the Court's order;
8. Confirming that the Special Trustee of the Trust shall have sole and absolute discretion with respect to all matters related to the listing and sale of the Shaver Lake property, including the determination of any and all terms thereof (e.g., purchase price, agreed upon repairs, allocation of costs and expenses, timing of sale, etc.);
9. Confirming that upon the appointment of the Special Trustee and the subsequent transfer of title that Baylie shall not have ongoing fiduciary duties to Brooke, Mattox, or the Trustee of the Mattox Trust in connection with the Shaver Lake property and that Baylie shall remain trustee of the remaining Trust assets;
10. As Trustee, upon appointment of the Special Trustee, Baylie shall have no rights or power of supervision with respect to the Shaver Lake property or the distribution of the net proceeds resulting therefrom;
11. Confirming that the terms of the Mattox Trust shall otherwise remain unchanged; and
12. For any other relief the Court deems just and proper.



The following issues were previously noted. See updates below each item.

1. The petition does not state the names and addresses of each person entitled to notice. See Probate Code §17201. Need verified declaration setting forth his information.

Update: The attorney's declaration (not verified) describes the various terms and beneficiaries; however, a comprehensive verified list has not been provided.

2. Beneficiary Mattox Robertson was served "C/O" Brooke Robertson. Service in the care of another is not sufficient. Direct notice is required, even to minors. See Cal. Rules of Court 7.51(d). The Court may require proper notice.

Update: The attorney's declaration states the minor does not need to be served pursuant to Probate Code §1460.1. However, Examiner notes that §1460.1 applies to guardianship and conservatorship matters. This is a trust matter. See applicable code and rules of court.

3. The petition does not address the issue of bond. Probate Code §15602(a)(3) requires bond if an individual who is not named in the trust instrument is appointed as trustee by the Court. It does not appear that bond can be waived pursuant to subsection (b) because one of the beneficiaries is a minor. Therefore, need estimate of value of the Shaver Lake property in order to fix bond. |

Update: The proposed order requires Tariq Abbasi to obtain bond in the amount of \$250,000.00 based on an appraisal of the property (attached); however, it does not specify if the bond is in connection with his appointment as special trustee for the Shaver Lake property or as trustee of the Mattox Trust or both. The Court may require clarification or revised language.

4. It appears Petitioner is also requesting that the Court authorize appointment of Sheila Abbasi as both Successor Special Trustee regarding the Shave Lake property and as successor trustee of both the Mattox Trust without further Court authorization. Need clarification and authority. The Court may require further noticed petition and bond in the event of her appointment, or consent from Sheila Abbasi and bond covering her as well at this time.

Update: The proposed order requires further court approval and consent for Shelia Abbasi's appointment if Mr. Abbasi can no longer serve.

5. Petitioner does not address compensation to the proposed Special Trustee or Trustee of the Mattox Trust, or the proposed successor. The Court may require clarification.

Update: According to the 4-23-14 minute order, fees are to be subject to court approval. However, the proposed order does not appear to include any language regarding fees.

Note: If granted, the Court will set a status hearing for filing of the bond by Special Trustee Tariq Abbasi on Friday 6-13-14. (If filed, the status hearing may be taken off calendar.)

<b>DOD: 2-12-14</b>			<b>JULIA ANN BRUNGESS</b> , Daughter and Named Alternate Executor without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note: If granted, the Court will set status hearings as follows:</b> <ul style="list-style-type: none"><li>• <b>Wednesday 9-10-14</b> for filing the Inventory and Appraisal</li><li>• <b>Wednesday 9-9-15</b> for filing the first account or petition for final distribution</li></ul> <b>If the appropriate items are on file, the status dates may be taken off calendar.</b>
			Full IAEA: ok	
			Will dated 9-20-82	
			Residence: Firebaugh, CA Publication: Fresno Business Journal	
			Estimated value of estate: Personal property: \$ 323,081.15 Annual income: \$ 1,000.00 Real property: \$ 90,000.00 Total: \$ 414,081.15	
			Probate Referee: Rick Smith	
	<b>Aff.Sub.Wit.</b>	S/P		
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	w		
✓	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
				<b>Reviewed by:</b> skc
				<b>Reviewed on:</b> 5-2-14
				<b>Updates:</b>
				<b>Recommendation:</b> SUBMITTED
				<b>File 9 - Brungess</b>

<b>DOD: 10-1-13</b>		<b>LUCEEN A. LOPOPOLO</b> , Spouse and Trustee of The Lopopolo Family Trust, is Petitioner.  40 days since DOD  No other proceedings  Will dated 5-19-99 devises the estate to The Lopopolo Family Trust.  Petitioner requests Court determination that Decedent's 1/5 interest as tenant-in-common in certain real property passes to Petitioner as trustee of The Lopopolo Family Trust pursuant to Decedent's will.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need declaration of trustee pursuant to Local Rule 7.12.5.</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> <small>W</small>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
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<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
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<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 5-2-14 <b>Updates:</b> <b>Recommendation:</b> <b>File 10 - Lopopolo</b>

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 2-26-14</b>			<b>FLOYD GREEN</b> , Named Alternate Executor, is Petitioner with full IAEA without bond.  Full IAEA – ok  Will dated 3-6-92 Codicil dated 10-12-12  Residence: Fresno Publication: Fresno Business Journal  Estimated Value of Estate: Personal property: Unknown Real property: \$100,000.00  Probate Referee: Rick Smith	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need declination of Nancy Wood to serve as Executor.</b>  <u>Note:</u> If granted, the Court will set status hearings as follows:  <ul style="list-style-type: none"> <li>Wednesday 9-10-14 for filing the Inventory and Appraisal</li> <li>Wednesday 9-9-15 for filing the first account or petition for final distribution</li> </ul> If the appropriate items are on file, the status dates may be taken off calendar.
	<b>Aff.Sub.Wit.</b>	S/P		
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	w		
✓	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 5-2-14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 11 - Bunney</b>

## Status Hearing Re: Settlement Agreement

<b>DOD: 04/09/12</b>	<p><b>SCOTT WORTHINGTON</b>, son, filed a Petition for Probate on 04/18/13, seeking to admit decedent's will to probate and be appointed as Executor without bond.</p> <p><b>CYNTHIA SCHMIDT</b>, daughter, filed an Objection to Petition for Probate of Will on 05/29/13.</p> <p>The parties participated in a settlement conference on 01/13/14. <b>Minute Order from 01/13/14</b> states: Counsel will submit settlement agreement per conference conversation. Status Hearing on 02/27/14, Courtcall allowed.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED FROM 04/15/14</u></b>  <b>As of 05/02/14, nothing further has been filed in this matter.</b></p> <p>1. Need Settlement Agreement and/or Status Update Report.</p>
<b>Cont. from 022714, 041514</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 05/02/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 – Worthington</b></p>

Atty Rube, Melvin K. (for Scott Worthington – son/Petitioner)  
 Atty Ramseyer, Ryan (for Cynthia Schmidt – daughter/Respondent)  
 Atty Kruthers, Heather H. (for Public Guardian)

**Status Hearing Re: Settlement Agreement**

Celia DOD:  
04/09/12

Cont. from 022714,  
041514

Aff.Sub.Wit.

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Order

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Status Rpt

UCCJEA

Citation

FTB Notice

**SCOTT WORTHINGTON**, son, filed a Petition to Terminate an Irrevocable Trust on 05/23/13 and set for hearing on 07/15/13.

At the 07/15/13 hearing, the Court set the matter for a settlement conference on 08/12/13.

**Minute Order** from settlement conference on 08/12/13 states: Parties engage in settlement discussions with the Court. Based on the discussions, the Public Guardian is appointed for the benefit of Fred Worthington. The Court directs the Public Guardian to meet with Fred Worthington and speak with counsel regarding an evaluation to determine the appropriate level of care for him. The Court obtains consent from all counsel to engage in ex parte communications with the Public Guardian. The Court directs that a list of items be prepared within two weeks and an order as set forth be prepared by counsel. The Court sets a Status Hearing for the Public Guardian on 09/09/13. The Court indicates for the minute order that Mr. Dornay's presence will not be required on 09/09/13. The Court will expect appropriate status reports to be filed for the upcoming hearings.

**Minute Order from status hearing on 09/09/13 states:** Mr. Picone is appearing via Courtcall. Mr. Picone informs the Court that his client has complied with the requirements thus far. Ms. Kruthers informs the Court that the Public Guardian believes Fred Worthington's needs can be taken care of at home, but trust funds would be needed. The Court is satisfied with the report from the Public Guardian. The Court thanks the Public Guardian for their services in this matter. The Court orders that Fred Worthington not be moved without a prior court order.

**Minute Order from further settlement conference on 01/13/14** states: Counsel will submit settlement agreement per conversation. Status Hearing on 02/27/14, Courtcall allowed.

Continued on Page 2

**NEEDS/PROBLEMS/COMMENTS:**

**CONTINUED FROM 04/15/14**  
As of 05/02/14, nothing further has been filed in this matter.

**Note:** Public Guardian filed a Petition for Fees that was granted on 12/09/13. The Petition for Fees was filed without payment of a filing fee. Minute Order from hearing on 12/09/13 ordered that the Trustee of the Trust was to pay the filing fees. As of 05/02/14, the filing fees have not been paid and the Order for Fees has not been signed.

1. Need Settlement Agreement and/or Status Update Report.

**Reviewed by:** JF

**Reviewed on:** 05/02/14

**Updates:**

**Recommendation:**

**File 13 – Worthington**

**Status Conference Statement of Petitioner Scott J. Worthington** filed 02/25/14 states:

1. A settlement conference was held in this matter on 01/13/14. The parties are to submit a settlement agreement, and are still working on that agreement. The Settlement agreement is to include, but is not limited to the following:
  - a. The appointment of a neutral successor trustee to administer the assets of the Trust. Bruce Bickel has agreed to act as the successor trustee for the trust.
  - b. The transfer of Bank of America Acct. ending in 3121, amounting to approximately \$211,000.00 (the sole asset of Fresno County Superior Court Case No. 13CEPR00336) into *The Worthington Family Grantor Trust dated 12/28/11* (the "Trust").
  - c. All assets of Trust, including the residence located at 22561 Auberry Road, Auberry, CA are to be administered for the benefit of Frederick A. Worthington.
  - d. The successor trustee is to select the contractor from the bids submitted to make the necessary repairs to the residence located at 22561 Auberry Road, Auberry, CA so that Frederick Worthington can live at the residence with in-home care. The costs of the repairs are to be paid out of the assets of the Trust.
  - e. Frederick Worthington will require in home care services while he resides at the residence located at 22561 Auberry Road, Auberry, CA. In home care services are to be provided on a 24-hour basis for seven days a week. Said in home care services are to be paid with any income earned by Frederick Worthington while he resides at the Auberry residence and out of the Trust.
  - f. The successor trustee shall select the in-home care provider to provide the in home care services required for Frederick Worthington.
  - g. Petitioner shall be responsible for moving Frederick Worthington into the Auberry residence once the necessary repairs have been made.
  - h. The successor trustee shall take possession of all tangible and intangible personal property of Frederick Worthington currently in the possession of petitioner and respondent and deliver said property to Frederick Worthington.
2. Although certain items of tangible personal property have been returned to Frederick Worthington by Respondent, Cynthia Schmidt, according to petitioner, Scott Worthington, the following items of tangible and intangible personal property have not been returned:
  - a. The *Certificate of Crossing the Equator*.
  - b. The Merchant Marine ring from WWII.
  - c. The matching rings worn by Frederick Worthington and his brother.
  - d. Celia Worthington's ashes.
  - e. The glass figurines that were on the fireplace mantle.
  - f. The family photo album of Frederick Worthington's family.
  - g. Some old plates in a wooden box.
  - h. Three butterfly trays.
  - i. A life insurance policy belonging to Frederick Worthington.
  - j. Military dog tags belonging to Frederick Worthington.
3. Petitioner is also concerned that Cynthia Schmidt has not accounted for or provided an explanation for the following:
  - a. Bank of America CD ending in 1508 held in the name of Celia Worthington and having a value of \$35,135.26 on 02/15/11, which Petitioner believes was not added to Bank of America Acct ending in 3121 and is not part of the approximately \$211,000.00 held in that account.
  - b. The status of the car owned by Frederick Worthington.